

Panaji, 6th February, 2020 (Magha 17, 1941)

SERIES II No. 45

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 44 dated 30-01-2020 namely, Extraordinary dated 05-02-2020 from pages 803 to 804 regarding Notification from Department of Home.

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Art & Culture

Order

No. DAC/7/IMB/Part file/2019-20/6721

In exercise of power conferred under Clause 4(iii) of the Rules & Regulation of Institute Menezes Braganza, Panaji, the Government is pleased to appoint Shri Digamber Atmaram Kankonkar, Classic Apts., E-66/1, Katye Bhat, Ella, Old Goa, Tiswadi-Goa, as Member Secretary of Institute Menezes Braganza, Panaji-Goa with immediate effect.

This issues with the approval of the Government vide No. 2013 dated 24-01-2020.

By order and in the name of the Governor of Goa.

Sagun R. Velip, Director & ex officio Joint Secretary (Art & Culture).

Panaji, 3rd February, 2020.

Department of Fisheries

Directorate of Fisheries

Order

No. DF/ADMN/LOPP/CDV/DDF/2018/5282

Read: Order No. DF/ADMN/PF/CDV/SOF/2012/1684 dated 08-07-2016.

On recommendation of the Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide their letter No. COM/II/12/20(1)/2013/334 dated 28-01-2020, the

Governor of Goa is pleased to lift the probation period in respect of Shri Chandrakant Dhalo Velip, to the post of Dy. Director of Fisheries (Group "A" Gazetted) in Directorate of Fisheries in the pay scale of PB-3 Rs. 15,600-39,100+Grade Pay Rs. 5,400/- with immediate effect.

By order and in the name of the Governor of Goa.

Dr. Shamila Monteiro, Director & ex officio Joint Secretary (Fisheries).

Panaji, 31st January, 2020.

Department of Labour

Order

No. 28/3/2020-LAB/83

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Goan Recreation Clubs Private Limited (Strike Casino), situated at Grand Hyatt Goa, Bambolim-Goa and it's workman Shri Aakash Navso Kadam, Sr. Surveillance Officer-3, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas, the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under Section 7(1) of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. Goan Recreation Clubs Private Limited (Strike Casino), at Grand Hyatt Goa,

Bambolim, Goa, in refusing employment to Shri Aakash Navso Kadam, Sr. Surveillance Officer-3, with effect from 16-06-2019, is legal and justified?

- (2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 28th January, 2020.

Notification

No. 28/2/2020-LAB/Part-IV/66

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/14/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND LABOUR COURT GOVERNMENT OF GOA AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/14/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507. ... Workmen/Party I
V/s

1. Fr. Agnel Higher Secondary School, Pilar, Goa 403 203. ... Employer/Party II(1)
2. Directorate of Education, Government of Goa, Porvorim-Goa. ... Employer/Party II(2)

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II(1) represented by Ld. Adv. Shri L. V. Palekar.

Employer/Party II(2) ex-parte.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 24-04-2015, bearing No. 28/52/2014-Lab/477, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of Fr. Agnel Higher Secondary School, Pilar, Goa, in refusing to concede the following demands of the workmen, represented by the Higher Secondary and College Attendants Association of Goa, is legal and justified?

CHARTER OF DEMANDS

- (i) Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.
- (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
- (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.
- (iv) Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.
- (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

2. Upon receipt of the reference, it was registered as IT/14/15 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 6 and Party II(1) filed written statement at Exh. 10.

3. In short, the case of the Party I is that the Party II(1) is a Higher Secondary School which has been operating for last several decades managed by the managing committee and is governed by Goa Education Act and Rules and the orders of Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II(1) and have been placed under supervision and control of head of Higher Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised a Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association should approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded a failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. The Party II(1) filed a written statement inter-alia contending that the Party I is not competent to raise the dispute. The Charter of demands was submitted by Association without any authorization or support of the members. The alleged dispute is not an industrial dispute as the demands were not raised on the Party II. The Industrial Tribunal is not the appropriate forum for adjudicating the dispute. The terms of reference does not include the State Government which is the body that provides the grants for the payment of wages and other monetary benefits to the employees.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Education, Government of Goa as Party to the proceedings and as the Party I has given no

objection, Directorate of Education, Government of Goa has been added as Party II(2). The Party II(2) thereafter filed a written statement inter-alia contending that the Chairman of the School Managing Committee is the appointing authority of the workmen in the higher secondary schools concerned in Goa and they are governed by Goa School Education Act, 1984 and Rules, 1986 and the circulars issued from time to time. The Party I are not the employees of the Directorate of Education and therefore the reference be dismissed.

6. Issues that came to be framed at Exh. 13 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) Whether Party II proves that the Industrial Tribunal is not the appropriate forum for adjudicating the dispute?
- (3) What Relief? What Award?

7. It is a matter of record that the matter was posted for evidence and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 15 colly stating that the Under Secretary (Higher Education) issued the Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed a Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence, the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. Needless to mention, the above circular has been issued by Directorate of Higher Education and not the Directorate of Education, concerned in the present reference. Be that as it may, it appears that the Party I workmen are satisfied with the above circular. It also appears that the Party I is not interested in pursuing the matter for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 15 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-IV/70

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/36/16 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).
Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/36/16

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

- 1. The Principal,
Smt. Chandrabhaga
Tukoba Naik Higher
Secondary School,
Curchorem,
Goa 403 706. ... Employer/Party II(1)
- 2. Directorate of Education,
Government of Goa,
Porvorim-Goa. ... Employer/Party II(2)

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II(1) represented by Ld. Adv. Shri G. K. Sardessai.

Employer/Party II(2) ex-parte.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 24-8-2016, bearing No. 28/11/2016-LAB/652, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of Smt. Chandrabhaga Tukoba Naik Higher Secondary School, Curchorem, Goa, in refusing to concede the following demands raised by the Higher Secondary and College Attendants Association of Goa, is legal and justified?

CHARTER OF DEMANDS

- (a) Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.
 - (b) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
 - (c) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.
 - (d) Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.
 - (e) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

2. Upon receipt of the reference, it was registered as IT/36/16 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exh. 7 and Party II(1) filed written statement at Exh. 8.

3. In short, the case of the Party I is that the Party II(1) is a Higher Secondary School which has been operating for last several decades managed by the managing committee and is governed by Goa Education Act and Rules and the orders of Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II(1) and have been placed under supervision and control of head of Higher Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised a Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association should approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded a failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. The Party II(1) filed a written statement inter-alia contending that the Party I is not competent to raise the dispute. The Charter of demands was submitted by Association without any authorization or support of the members. The alleged dispute is not an industrial dispute as the demands were not raised on the Party II. The Industrial Tribunal is not the appropriate forum for adjudicating the dispute. The terms of reference does not include the State Government which is the body that provides the grants for the payment of wages and other monetary benefits to the employees.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Education, Government of Goa as Party to the proceedings and as the Party I has given no objection, Directorate of Education, Government of Goa has been added as Party II(2). The Party II(2) thereafter filed a written statement inter-alia contending that the Chairman of the School Managing Committee is the appointing authority of the workmen in the higher secondary schools concerned in Goa and they are governed by Goa School Education Act, 1984 and Rules, 1986 and the circulars issued from time to time. The Party I are not the employees of the Directorate of Education and therefore the reference be dismissed.

6. Issues that came to be framed at Exh. 10 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) What Relief? What Award?

7. It is a matter of record that the matter was posted for evidence and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 12 colly stating that the Under Secretary (Higher Education) issued the Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed a Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence, the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. Needless to mention, the above circular has been issued by Directorate of Higher Education and not the Directorate of Education, concerned in the present reference. Be that as it may, it appears that the Party I workmen are satisfied with the above circular. It also appears that the Party I is not interested in pursuing the matter for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 12 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-IV/68

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/03/17 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/03/17

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

- 1. The Principal,
M/s. Shree Damodar Higher
Secondary School,
Gudi, Paroda,
Quepem, Goa 403 705. ... Employer/Party II(1)
- 2. Directorate of Education,
Government of Goa,
Porvorim-Goa. ... Employer/Party II(2)

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II(1) ex-parte.

Employer/Party II(2) ex-parte.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 17-02-2017, bearing No. 28/54/2016-LAB/70, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of Shree Damodar Higher Secondary School, Gudi, Paroda, Quepem, Goa in refusing to concede the following demands raised by the Higher Secondary and College Attendants Association of Goa, is legal and justified?"

CHARTER OF DEMANDS

- (a) *Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.*
 - (b) *Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.*
 - (c) *The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.*
 - (d) *Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.*
 - (e) *Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.*
- (2) *If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"*

2. Upon receipt of the reference, it was registered as IT/03/17 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exh. 4 and Party II(1) filed written statement at Exh. 10.

3. In short, the case of the Party I is that the Party II(1) is a Higher Secondary School which has been operating for last several decades managed by the managing committee and is governed by Goa Education Act and Rules and the orders of Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II(1) and have been placed under supervision and control of head of Higher Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised a Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association should approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded a failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. The Party II(1) filed a written statement inter-alia contending that the Higher Secondary Staff are governed by Education Act and Rules whereas College Attendants are governed by UGC Rules and therefore association between both of them cannot exist.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Education, Government of Goa as Party to the proceedings and as the Party I has given no objection, Directorate of Education, Government of

Goa has been added as Party II(2). The Party II(2) thereafter filed a written statement inter-alia contending that the Chairman of the School Managing Committee is the appointing authority of the workmen in the higher secondary schools concerned in Goa and they are governed by Goa School Education Act, 1984 and Rules 1986 and the circulars issued from time to time. The Party I are not the employees of the Directorate of Education and therefore the reference be dismissed.

6. Issues that came to be framed at Exh. 11 are as follows:

- (1) Whether the Party I prove that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) What Relief? What Award?

7. It is a matter of record that the matter was posted for final arguments and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 30 colly stating that the Under Secretary (Higher Education) issued the Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed a Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence, the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. Needless to mention, the above circular has been issued by Directorate of Higher Education and not the Directorate of Education, concerned in the present reference. Be that as it may, it appears that the Party I workmen are satisfied with the above circular. It also appears that the Party I is not interested in pursuing the matter, although evidence has been led, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 30 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-II/71

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/15/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).
Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/15/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

S. S. Samiti's Higher Secondary
School of Science,
Kavale,
Ponda, Goa 403 501.

... Employer/Party II

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II ex-parte.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 24-04-2015, bearing No. 28/7/2015-Lab/478, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of S. S. Samiti's Higher Secondary School of Science, Kavale, Ponda, Goa, in refusing to concede the following demands of its workmen, represented by the Higher Secondary and College Attendants Association of Goa, is legal and justified?"

- (i) *Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.*
- (ii) *Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.*
- (iii) *The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.*
- (iv) *Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.*
- (v) *Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.*

(2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

2. Upon receipt of the reference, it was registered as IT/15/15 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 6.

3. In short, the case of the Party I is that the Party II is a Higher Secondary School which has been operating for last several decades managed

by the managing committee and is governed by Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II and have been placed under supervision and control of head of Higher Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised the Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association suits approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II vide letter dated 24-3-2014. The Party II did not replied to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II to attend the conciliation proceedings and as the Party II refused to discuss the demands, the Assistant Labour Commissioner recorded failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. The Party II did not file any written statement and as such they are marked ex-parte.

5. Issues that came to be framed at Exh. 8 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) What Relief? What Award?

6. It is a matter of record that the matter was fixed for final arguments and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 27

colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. It appears that the Party I is not interested in pursuing the matter, although evidence has been led, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

7. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 27 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-V/72

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/22/16 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding
Officer)

Ref. No. IT/22/16

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

1. Shri Ravi S. Naik College
of Arts and Science,
Farmagudi, Ponda,
Goa-403 401. ... Employer/Party II(1)
2. The Directorate of Higher Education,
Government of Goa,
Porvorim-Goa. ... Employer/Party II(2)
3. The Registrar,
Goa University,
Taleigao Plateau,
Bambolim, Goa. ... Employer/Party II(3)

Workmen/Party I represented by Shri Subhash Naik
Jorge.

Employer/Party II(1) represented by Ld. Adv. Shri
G. K. Sardesai.

Employer/Party II(2) represented by Ld. Adv. Shri
K. L. Bhagat.

Employer/Party II(3) represented by Ld. Adv. Shri
A. A. Agni.

AWARD

(Delivered on this the 23rd day of the month
of December, of the year 2019)

By Order dated 23-2-2016, bearing No. 28/58/
/2015-LAB/131, the Government of Goa in exercise
of powers conferred by Section 10 (1)(d) of the
Industrial Disputes Act, 1947 (for short The Act),
has referred the following dispute to the Tribunal
for adjudication.

"(1) Whether the action of the management of
Shri Ravi S. Naik College of Arts & Science,
Farmagudi, Ponda, Goa, in refusing to concede
the following Charter of Demands raised by
the Higher Secondary & College Attendants
Association of Goa, vide its letter dated
24-03-2014, is legal and justified?

CHARTER OF DEMANDS

- (i) Laboratory Attendants and Library
Attendants in Higher Secondary Schools
should be granted vacation as is granted
to the Laboratory Assistants and Librarian
every year as per rules.
- (ii) Laboratory Attendants should be allotted
duties only in laboratories and Library
Attendants should be allotted duties only
in libraries as per rules.
- (iii) The working hours for Laboratory
Attendants and Library Attendants should
be 6 hours and 30 minutes every day as
per rules. Beyond 6 hours and 30 hours
work, Laboratory Attendants and Library
Attendants should be paid overtime at the
rate of double the gross wages paid for
that day. This overtime should be paid
retrospective from the date of joining till
the date this issue is settled.
- (iv) Laboratory Attendants and Library
Attendants should be treated as Group "C"
employees as per rules.
- (v) Laboratory Attendants should be provided
Lab Coats and Lab Safety Shoes while at
work.
- (2) If the answer to issue No. (1) above is in the
negative, then, what relief the workmen are
entitled to?"

2. Upon receipt of the reference, it was registered
as IT/22/16 and registered A/D notices were issued
to both the parties. Pursuant to service of notices,
Party I filed a Claim statement at Exb. 4, Party II(1)
filed a Written statement at Exh. 7.

3. In short, the case of the Party I is that the
Party II(1) is a College which has been operating
at Farmagudi for last several decades managed by
the managing committee and is governed by
Directorate of Education, Government of Goa. The
managing committee is the appointing authority
for all the teaching and non-teaching staff. The
Laboratory and Library Attendants have been
appointed by the Party II(1) and have been placed
under supervision and control of head of College.
The Laboratory and Library Assistants across 17
different Higher Secondary and Colleges have
formed their union and they are the members of
Higher Secondary and College Attendants
Association. The Party I have raised the Charter of
demands dated 4-11-2013 with Directorate of
Education and 17 Higher Secondary Schools and
Colleges. The Directorate of Education in its reply

dated 16-12-2013 stated that the Association should approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded a failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. In the Written statement, the Party II(1) has claimed that the alleged dispute is not an industrial dispute. The Industrial Tribunal is not the appropriate forum to adjudicate the dispute. The terms of reference does not include the State Government which is the body that provides the grant for payment of wages and other monetary benefits to the employees. The College follows the rules, regulation and service conditions prescribed by the Higher Education and Goa University for its teaching and non-teaching staff. The reference therefore may be dismissed.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Higher Education, Government of Goa and Goa University to the present proceedings and as the Party I had given no objection, Directorate of Higher Education, Government of Goa and Goa University have been added as Party II(2) and Party II(3) respectively. The Party II(2) thereafter filed a written statement inter-alia contending that in terms of Office memorandum dated 21-11-2016 of Department of Personnel, Government of Goa, the posts of Laboratory Attendants and Library Attendants, which were erstwhile group 'D' posts are now classified as group 'C' and designated as 'Multi Tasking Staff' with the actual duties as enumerated in the annexure and all the recruitment rules and service rules of the Government are applicable to the aided colleges which are fully funded by the Government by way of salary grant and maintenance grant. The duty hours of all 'Multi Tasking Staff' being 7 ½ hours per day, the same is applicable to the said posts of Laboratory Attendants and Library Attendants. The Party II(3) also filed pursis inter-alia contending that the Party I workmen are not employees of Goa University and Goa University is not an industry as

defined in Industrial Disputes Act and is unconcerned about the adjudication of the dispute before the Court.

6. Issues that came to be framed at Exh. 12 are as follows:

- (1) Whether the Party I prove that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) Whether the Party II proves that the Library Attendants and Laboratory Attendants are not the labour within the meaning of Industrial Disputes Act, 1947 and therefore no reference could be entertained by the Tribunal?
- (3) What Relief? What Award?

7. It is a matter of record that the matter was posted for evidence of the Party I and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 20 colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore, the matter may be closed. It appears that the Party I is not interested in pursuing the matter, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view of above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 20 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-IV/68

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/23/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/23/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

1. The Chairman,
Vidhya Prabhodini Higher
Secondary
School, Porvorim,
Goa 403 501. ... Employer/Party II(1)
2. Directorate of Education,
Government of Goa,
Porvorim-Goa. ... Employer/Party II(2)

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II(1) represented by Ld. Adv. Shri P. Chawdikar.

Employer/Party II(2) ex-parte.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 02-07-2015, bearing No. 28/23/2015-Lab/674, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of Vidhya Prabhodini Higher Secondary School, Porvorim, Goa, in refusing to concede the following demands raised by the Higher Secondary and College Attendants Association of Goa, vide their letter dated 24-03-2014, is legal and justified?

CHARTER OF DEMANDS

- (i) Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.
 - (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
 - (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.
 - (iv) Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.
 - (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

2. Upon receipt of the reference, it was registered as IT/23/15 and registered A/D notices were issued to both the parties. Pursuant to service of notices, the Party I filed a Claim statement at Exb. 7 and the Party II(1) filed a Written statement at Exh. 10.

3. In short, the case of the Party I is that the Party II is a Higher Secondary School operating in Porvorim for the last several decades imparting education to the students of class XI and XII and managed by Managing Committee duly elected from time to time and is governed by Goa Education Act and Rules. The Party II has appointed Laboratory and Library Attendants and are placed under the supervision and control of head of higher secondary school. The Laboratory and Library Assistants across 17 different Higher Secondary

Schools and Colleges have formed their union and the Laboratory and Library Assistants at Party II are the members of the Association. The Party I have raised a Charter of demands dated 4-11-2013 before the Directorate of Education and 17 of Higher Secondary Schools and Colleges containing the demands subject matter of the present reference. The Directorate of Education in its reply dated 16-12-2013 claimed that an Association should approach their respective employers for their demands since they are been appointed by the respective management. The Association then raised Charter of demands with the Party II vide letter dated 24-3-2014 and as the Party II did not reply to the Charter of demands, the Party I approached the Labour Commissioner for conciliation and as the Party II refused to discuss the demands, the Assistant Labour Commissioner recorded the failure of conciliation proceedings. The demands raised by Party I are legal and justified and are as per Goa Education Act and Rules and directions issued by the Government of Goa from time to time. The act of the management not to accede to the demands of the Party I is unjust, unfair and unreasonable and is in contravention of the Goa Education Act and Rules. The Party I is entitled for the reliefs claimed.

4. The Party II(1) filed a written statement inter-alia contending that the present reference is based on erroneous premise, convoluted logic and smacks of manipulation and is misleading and as such it deserves to be rejected. The Party I workmen have no locus standi to raise and pursue the present matter.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Education, Government of Goa as Party to the proceedings and as the Party I has given no objection, Directorate of Education, Government of Goa has been added as Party II(2). The Party II(2) thereafter filed a written statement inter-alia contending that the Chairman of the School Managing Committee is the appointing authority of the workmen in the higher secondary schools concerned in Goa and they are governed by Goa School Education Act, 1984 and Rules, 1986 and the circulars issued from time to time. The Party I are not the employees of the Directorate of Education and therefore the reference be dismissed.

6. Issues that came to be framed at Exh. 14 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?

- (2) Whether Party II proves that the Industrial Tribunal is not the appropriate forum for adjudicating the dispute?

- (3) What Relief? What Award?

7. It is a matter of record that the matter was posted for evidence and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 21 colly stating that the Under Secretary (Higher Education) issued the Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed a Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence, the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. Needless to mention, the above circular has been issued by Directorate of Higher Education and not the Directorate of Education, concerned in the present reference. Be that as it may, it appears that the Party I workmen are satisfied with the above circular. It also appears that the Party I is not interested in pursuing the matter, although evidence has been led, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 21 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-V/73

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/16/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/16/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

1. The Chairman,
Shree Shantadurga Higher
Secondary
School, Bicholim,
Goa 403 504. ... Employer/Party II(1)

2. The Directorate of Education,
Government of Goa,
Porvorim-Goa. ... Employer/Party II(2)

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II(1) ex-parte.

Employer/Party II(2) ex-parte.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 27-05-2015, bearing No. 28/10/2015-Lab/540, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of Shree Shantadurga Higher Secondary School, Bicholim, Goa, in not conceding the following demands raised by the Higher Secondary and College Attendants Association of Goa vide its letter dated 24-03-2014, is legal and justified?

CHARTER OF DEMANDS

- (i) Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.
 - (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
 - (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.
 - (iv) Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.
 - (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

2. Upon receipt of the reference, it was registered as IT/16/15 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 7 and Party II(1) filed written statement at Exh. 11.

3. In short, the case of the Party I is that the Party II(1) is a Higher Secondary School which has been operating for last several decades managed by the managing committee and is governed by Goa Education Act and Rules and the orders of Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II(1) and have been placed under supervision and control of head of Higher

Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised a Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association should approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded a failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. The Party II(1) filed a written statement inter-alia contending that the present reference is based on erroneous premise, convoluted logic and smacks of manipulation and is misleading and as such it deserves to be rejected. The Party I workmen have no locus standi to raise and pursue the present matter.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Education, Government of Goa as Party to the proceedings and as the Party I has given no objection, Directorate of Education, Government of Goa has been added as Party II(2). The Party II(2) thereafter filed a written statement inter-alia contending that the Chairman of the School Managing Committee is the appointing authority of the workmen in the higher secondary schools concerned in Goa and they are governed by Goa School Education Act, 1984 and Rules, 1986 and the circulars issued from time to time. The Party I are not the employees of the Directorate of Education and therefore the reference be dismissed.

6. Issues that came to be framed at Exh. 16 are as follows:

- (1) Whether the Party I prove that the action of Party II in not conceding their demands mentioned in the schedule, is illegal and unjustified?

- (2) Whether Party II proves that the present claim is not an 'Industrial Dispute' as defined under Section 2(k) of the Industrial Disputes Act, 1947?

- (3) What Relief? What Award?

7. It is a matter of record that the matter was posted for final arguments and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 35 colly stating that the Under Secretary (Higher Education) issued the Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed a Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence, the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. Needless to mention, the above circular has been issued by Directorate of Higher Education and not the Directorate of Education, concerned in the present reference. Be that as it may, it appears that the Party I workmen are satisfied with the above circular. It also appears that the Party I is not interested in pursuing the matter for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 35 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-II/75

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/52/16 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/52/16

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

The Principal,
Guardian Angel Higher
Secondary School
Curchorem, Goa 403 706. ... Employer/Party II
Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II represented by Ld. Adv. Shri L. V. Palekar.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 18-10-2016, bearing No. 28/12/2016-LAB/742, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of Guardian Angel Higher Secondary School, Curchorem, Goa, in refusing to concede the following demands raised by the Higher Secondary and College Attendants Association of Goa, is legal and justified?"

(a) *Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.*

(b) *Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.*

(c) *The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.*

(d) *Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.*

(e) *Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.*

(2) *If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"*

2. Upon receipt of the reference, it was registered as IT/52/16 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 5 and the Party II filed the written statement at Exh. 6.

3. In short, the case of the Party I is that the Party II is a Higher Secondary School which has been operating for last several decades managed by the managing committee and is governed by Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II and have been placed under supervision and control of head of Higher Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised the Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association suits approach their respective

employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II vide letter dated 24-3-2014. The Party II did not replied to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II to attend the conciliation proceedings and as the Party II refused to discuss the demands, the Assistant Labour Commissioner recorded failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. The Party II(1) filed a written statement inter-alia contending that the Party I is not competent to raise the dispute. The Charter of demands was submitted by Association without any authorization or support of the members. The alleged dispute is not an industrial dispute as the demands were not raised on the Party II. The Industrial Tribunal is not the appropriate forum for adjudicating the dispute. The terms of reference does not include the State Government which is the body that provides the grants for the payment of wages and other monetary benefits to the employees.

5. Issues that came to be framed at Exh. 7 are as follows:

- (1) Whether the Party I prove that the action of Party II in not conceding their demands mentioned in the schedule, is illegal and unjustified?
- (2) Whether Party II proves that the Industrial Tribunal is not the appropriate forum for adjudicating the dispute?
- (3) What Relief? What Award?

6. It is a matter of record that the matter was fixed for evidence and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 9 colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours

and with regard to other demands, the Party I has filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. It appears that the Party I is not interested in pursuing the matter for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

7. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 9 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-II/78

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/22/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).
Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/22/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

1. The Chairman,
St. Xavier College,
Mapusa, Goa-403 507 ... Employer/Party II(1)
 2. The Directorate of Hr. Education,
Government of Goa,
Porvorim-Goa ... Employer/Party II(2)
 3. Goa University,
Taleigao, Goa. ... Employer/Party II(3)
- Workmen/Party I represented by Shri Subhash Naik Jorge.
- Employer/Party II(1) represented by Ld. Adv. Shri V. Korgaonkar.
- Employer/Party II(2) represented by Ld. Adv. Shri K. L. Bhagat.
- Employer/Party II(3) represented by Ld. Adv. Shri A. A. Agni.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 02-07-2015, bearing No. 28/34/2015-Lab/676, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

“(1) Whether the action of the management of St. Xavier College, Mapusa, Goa, in refusing to concede the following demands raised by the Higher Secondary and College Attendants Association of Goa, vide letter dated 24-03-2014, is legal and justified?”

CHARTER OF DEMANDS

- (i) *Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.*
- (ii) *Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.*
- (iii) *The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.*

(iv) Laboratory Attendants and Library Attendants should be treated as Group “C” employees as per rules.

(v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.

(2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?”

2. Upon receipt of the reference, it was registered as IT/22/15 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 7, Party II(1) filed a Written statement at Exh. 18.

3. In short, the case of the Party I is that the Party II(1) is a College which has been operating at Mapusa for last several decades managed by the managing committee and is governed by Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II(1) and have been placed under supervision and control of head of College. The Laboratory and Library Assistants across 17 different Higher Secondary and Colleges have formed their union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised the Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association suits approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. In the Written statement, the Party II(1) has claimed that the Party I are neither the labour/ workmen nor they are entitled to maintain the

reference before the Court. The Party II(1) is not running any industrial activity and/or not industry within the meaning of Industrial Disputes Act, 1947. The reference therefore may be dismissed.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Higher Education, Government of Goa and Goa University to the present proceedings and as the Party I had given no objection, Directorate of Higher Education, Government of Goa and Goa University have been added as Party II(2) and Party II(3) respectively. The Party II(2) thereafter filed a written statement inter-alia contending that in terms of Office memorandum dated 21-11-2016 of Department of Personnel, Government of Goa, the posts of Laboratory Attendants and Library Attendants, which were erstwhile group 'D' posts are now classified as group 'C' and designated as 'Multi Tasking Staff' with the actual duties as enumerated in the annexure and all the recruitment rules and service rules of the Government are applicable to the aided colleges which are fully funded by the Government by way of salary grant and maintenance grant. The duty hours of all 'Multi Tasking Staff' being 7 ½ hours per day, the same is applicable to the said posts of Laboratory Attendants and Library Attendants. The Party II(3) also filed pursis inter-alia contending that the Party I workmen are not employees of Goa University and Goa University is not an industry as defined in Industrial Disputes Act and is unconcerned about the adjudication of the dispute before the Court.

6. Issues that came to be framed at Exh. 21 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) Whether Party II proves that the Library Attendants and Laboratory Attendants are not the labour within the meaning of Industrial Disputes Act, 1947 and therefore no reference could be entertained by the Tribunal?
- (3) What Relief? What Award?

7. It is a matter of record that the matter was fixed for evidence of the Party I and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a

Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 23 colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. It appears that the Party I is not interested in pursuing the matter, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view of above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 23 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-II/77

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/11/17 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding
Officer)

Ref. No. IT/11/17

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

The Principal,
Pope John XXIII Higher
Secondary School, Quepem,
Goa 403 705.

... Employer/Party II

Workmen/Party I represented by Shri Subhash Naik
Jorge.

Employer/Party II represented by Ld. Adv. Ms. C.
Pereira.

AWARD

(Delivered on this the 23rd day of the month
of December, of the year 2019)

By Order dated 15-5-2017, bearing No. 28/55/
/2016-LAB/338, the Government of Goa in exercise
of powers conferred by Section 10 (1)(d) of the
Industrial Disputes Act, 1947 (for short The Act),
has referred the following dispute to the Tribunal
for adjudication.

*"(1) Whether the action of the management of
M/s. Pope John XXIII Higher Secondary
School, Quepem, Goa, in refusing to concede
the following demands raised by the
Higher Secondary and College Attendants
Association of Goa vide their letter dated
28-09-2015, is legal and justified?"*

- (a) *Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.*
- (b) *Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.*
- (c) *The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as*

per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.

(d) *Laboratory Attendants and Library Attendants should be treated as Group "C" employees as per rules.*

(e) *Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.*

(2) *If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"*

2. Upon receipt of the reference, it was registered as IT/11/17 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 7 and the Party II filed the written statement at Exh. 12.

3. In short, the case of the Party I is that the Party II is a Higher Secondary School which has been operating for last several decades managed by the managing committee and is governed by Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II and have been placed under supervision and control of head of Higher Secondary School. The Laboratory and Library Assistants across 17 different Higher Secondary Schools and Colleges have formed their Union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised the Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association suits approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II vide letter dated 24-3-2014. The Party II did not replied to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II to attend the conciliation proceedings and as the Party II refused to discuss the demands, the Assistant Labour Commissioner recorded failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa

Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. In the Written statement, the Party II has claimed that the demands of the Party I are unjustified and not at all in tune with prevailing situation and relationship the Party I workmen have with the Party II. There is absolutely no strain or any kind of harassment at the workplace and the Party I workmen are treated as per their designations and are enjoying cordial relationship with the Party II and have never raised any demands.

5. Issues that came to be framed at Exh. 12A are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) What Relief? What Award?

6. It is a matter of record that the matter was fixed for evidence and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 20 colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. It appears that the Party I is not interested in pursuing the matter, although evidence has been led, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

7. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 20 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-II/79

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/25/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/25/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507. ... Workmen/Party I

V/s

1. Shreedora Caculo College,
Mapusa, Goa-403 507 ... Employer/Party II(1)
2. Directorate of Hr. Education,
Government of Goa,
Porvorim-Goa ... Employer/Party II(2)
3. Goa University,
Taleigao, Goa ... Employer/Party II(3)

Workmen/Party I represented by Shri Subhash Naik Jorge.

Employer/Party II(1) represented by Ld. Adv. Shri R. Kolwalker.

Employer/Party II(2) represented by Ld. Adv. Shri K. L. Bhagat.

Employer/Party II(3) represented by Ld. Adv. Shri A. A. Agni.

AWARD

(Delivered on this the 23rd day of the month of December, of the year 2019)

By Order dated 14-7-2015, bearing No. 28/37/2015-Lab/705, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

“(1) Whether the action of the management of Shreedora Caculo College, Mapusa, Goa, in refusing to concede the following demands raised by the Higher Secondary and College Attendants Association of Goa, vide letter dated 24-03-2014, is legal and justified?”

CHARTER OF DEMANDS

- (i) Laboratory Attendants and Library Attendants in Higher Secondary Schools should be granted vacation as is granted to the Laboratory Assistants and Librarian every year as per rules.*
- (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.*
- (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 hours work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospective from the date of joining till the date this issue is settled.*
- (iv) Laboratory Attendants and Library Attendants should be treated as Group “C” employees as per rules.*
- (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.*

(2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?”

2. Upon receipt of the reference, it was registered as IT/25/15 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 5, Party II(1) filed a Written statement at Exh. 9.

3. In short, the case of the Party I is that the Party II(1) is a College which has been operating at Mapusa for last several decades managed by the managing committee and is governed by Directorate of Education, Government of Goa. The managing committee is the appointing authority for all the teaching and non-teaching staff. The Laboratory and Library Attendants have been appointed by the Party II(1) and have been placed under supervision and control of head of College. The Laboratory and Library Assistants across 17 different Higher Secondary and Colleges have formed their union and they are the members of Higher Secondary and College Attendants Association. The Party I have raised the Charter of demands dated 4-11-2013 with Directorate of Education and 17 Higher Secondary Schools and Colleges. The Directorate of Education in its reply dated 16-12-2013 stated that the Association suits approach their respective employers for demands since they have been appointed by the respective management. The Association then raised a Charter of demands with the Party II(1) vide letter dated 24-3-2014. The Party II(1) did not reply to the Charter of demands and as such the Party I approached the Labour Commissioner for conciliation who requested the Party II(1) to attend the conciliation proceedings and as the Party II(1) refused to discuss the demands, the Assistant Labour Commissioner recorded failure of the conciliation proceedings. The demands raised by Party I are legal and justified as per the Goa Education Act and Rules and direction issued by the Government of Goa from time to time. The action of the management in rejecting the demands of the Party I is illegal and unjustified. Hence, the reference.

4. In the Written statement, the Party II(1) has claimed that the reference is not maintainable in law and on facts. The claims put forward by the Party I are barred by law of limitation and without any cause of action and therefore the reference may be dismissed.

5. It is a matter of record that the Party II(1) has filed an application for addition of Directorate of Higher Education, Government of Goa and Goa University to the present proceedings and as the

Party I had given no objection, Directorate of Higher Education, Government of Goa and Goa University have been added as Party II(2) and Party II(3) respectively. The Party II(2) thereafter filed a written statement inter-alia contending that in terms of Office memorandum dated 21-11-2016 of Department of Personnel, Government of Goa, the posts of Laboratory Attendants and Library Attendants, which were erstwhile group 'D' posts are now classified as group 'C' and designated as 'Multi Tasking Staff' with the actual duties as enumerated in the annexure and all the recruitment rules and service rules of the Government are applicable to the aided colleges which are fully funded by the Government by way of salary grant and maintenance grant. The duty hours of all 'Multi Tasking Staff' being 7 ½ hours per day, the same is applicable to the said posts of Laboratory Attendants and Library Attendants. The Party II(3) also filed pursis inter-alia contending that the Party I workmen are not employees of Goa University and Goa University is not an industry as defined in Industrial Disputes Act and is unconcerned about the adjudication of the dispute before the Court.

6. Issues that came to be framed at Exh. 19 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) Whether Party II proves that the Library Attendants and Laboratory Attendants are not the labour within the meaning of Industrial Disputes Act, 1947 and therefore no reference could be entertained by the Tribunal?
- (3) What Relief? What Award?

7. It is a matter of record that the matter was fixed for evidence of the Party I and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 21 colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has

filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. It appears that the Party I is not interested in pursuing the matter, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

8. In view of above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 21 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-II/76

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-12-2019 in reference No. IT/18/15 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/18/15

The General Secretary,
Higher Secondary & College
Attendants Association of Goa,
F-6, Block 4, Galaxy Apartments,
Khorlim, Mapusa,
Goa 403 507.

... Workmen/Party I

V/s

The Chairman,
Harmal Panchkroshi Higher
Secondary School, Harmal,
Goa 403 512. ... Employer/Party II

Workmen/Party I represented by Shri Subhash Naik
Jorge.

Employer/Party II represented by Ld. Adv.
Shri Kewal Sawant.

AWARD

**(Delivered on this the 23rd day of the month
of December, of the year 2019)**

By Order dated 01-07-2015, bearing No. 28/22/
/2015-Lab/668, the Government of Goa in exercise
of powers conferred by Section 10 (1)(d) of the
Industrial Disputes Act, 1947 (for short The Act),
has referred the following dispute to the Tribunal
for adjudication.

*"(1) Whether the action of the management of
Harmal Panchkroshi Higher Secondary
School, Harmal, Goa, in refusing to concede
the following demands raised by the
Higher Secondary and College Attendants
Association of Goa, vide their letter dated
24-03-2014, is legal and justified?"*

CHARTER OF DEMANDS

- (i) Laboratory Attendants and Library
Attendants in Higher Secondary Schools
should be granted vacation as is granted
to the Laboratory Assistants and Librarian
every year as per rules.*
- (ii) Laboratory Attendants should be allotted
duties only in laboratories and Library
Attendants should be allotted duties only
in libraries as per rules.*
- (iii) The working hours for Laboratory
Attendants and Library Attendants should
be 6 hours and 30 minutes every day as
per rules. Beyond 6 hours and 30 hours
work, Laboratory Attendants and Library
Attendants should be paid overtime at the
rate of double the gross wages paid for
that day. This overtime should be paid
retrospective from the date of joining till
the date this issue is settled.*
- (iv) Laboratory Attendants and Library
Attendants should be treated as Group "C"
employees as per rules.*
- (v) Laboratory Attendants should be provided
Lab Coats and Lab Safety Shoes while at
work.*

*(2) If the answer to issue No. (1) above is in the
negative, then, what relief the workmen are
entitled to?"*

2. Upon receipt of the reference, it was registered
as IT/18/15 and registered A/D notices were issued
to both the parties. Pursuant to service of notices,
Party I filed a Claim statement at Exb. 8 and
Party II filed a Written statement at Exh. 11.

3. In short, the case of the Party I is that the
Party II is a Higher Secondary School which has
been operating for last several decades managed
by the managing committee and is governed by
Directorate of Education, Government of Goa. The
managing committee is the appointing authority
for all the teaching and non-teaching staff. The
Laboratory and Library Attendants have been
appointed by the Party II and have been placed
under supervision and control of head of Higher
Secondary School. The Laboratory and Library
Assistants across 17 different Higher Secondary
Schools and Colleges have formed their Union and
they are the members of Higher Secondary and
College Attendants Association. The Party I have
raised the Charter of demands dated 4-11-2013 with
Directorate of Education and 17 Higher Secondary
Schools and Colleges. The Directorate of Education
in its reply dated 16-12-2013 stated that the
Association suits approach their respective
employers for demands since they have been
appointed by the respective management. The
Association then raised a Charter of demands
with the Party II vide letter dated 24-3-2014. The
Party II did not replied to the Charter of demands
and as such the Party I approached the Labour
Commissioner for conciliation who requested the
Party II to attend the conciliation proceedings and
as the Party II refused to discuss the demands, the
Assistant Labour Commissioner recorded failure of
the conciliation proceedings. The demands raised
by Party I are legal and justified as per the Goa
Education Act and Rules and direction issued by
the Government of Goa from time to time. The action
of the management in rejecting the demands of
the Party I is illegal and unjustified. Hence, the
reference.

4. In the Written statement, the Party II has
claimed that the Party I have no locus standi to
raise and pursue the present matter against the
Party II as the reference is bad in law and not
capable of adjudication according to law, which is
based on erroneous premise, convoluted logic and
smacks of manipulation. The present reference is
bad in law for non joinder of necessary party i.e.
Directorate of Education, so also the claim of the

Party I workmen is not an industrial dispute as defined under Section 2(k) of the Act.

5. Issues that came to be framed at Exh. 12 are as follows:

- (1) Whether the Party I proves that the action of Party II in refusing to concede their demands mentioned in the schedule, is illegal and unjustified?
- (2) Whether Party II proves that the Industrial Tribunal is not the appropriate forum for adjudicating the dispute?
- (3) What Relief? What Award?

6. It is a matter of record that the matter was fixed for final arguments and during the course of proceedings, Shri Subhash Naik Jorge for the Party I has filed an application along with a Circular dated 17-12-2019 issued by the Directorate of Higher Education, Government of Goa at Exh. 45 colly stating that the Under Secretary (Higher Education) issued the above Circular fixing working hours of 6.30 hrs. per day excluding lunch break for all Educational Institutions observing 6 days a week for Party I workmen i.e. Laboratory and Library Attendants and that 6.30 hrs. per day has been their demand and the same is acceptable to them and that the Party I does not wish to pursue the present reference pertaining to the working hours and with regard to other demands, the Party I has filed the Writ Petition No. 86/2019 in the Hon'ble High Court of Bombay at Panaji, Goa Bench and that they are pursuing those demands before other authorities and hence the Party I does not wish to pursue the same before this authority and therefore the matter may be closed. It appears that the Party I is not interested in pursuing the matter, although evidence has been led, for the reasons stated above. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

7. In view above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application at Exhibit 45 colly.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2020-LAB/Part-V/74

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 10-01-2020 in reference No. IT/16/18 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st January, 2020.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Ref. No. IT/16/18

Workmen,
Rep. by the General Secretary,
Gomantak Mazdoor Sangh,
G-5, Macedo Appt.,
Tisk, Ponda, Goa-403 401. ... Workmen/Party I
V/s

The Managing Director,
M/s. Tulip Diagnostic (P) Ltd.,
Plot No. 92/96, Phase 11-C,
Verna Industrial Estate,
Verna, Goa-403 722. ... Employer/Party II

Workmen/Party I represented by Shri P. Gaonkar.

Employer/Party II represented by Ld. Adv. Shri M. S. Bandodkar.

AWARD

(Delivered on this the 10th day of the month of January, of the year 2020)

By Order dated 29-11-2018, bearing No. 28/20/2018-LAB/758, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

"(1) Whether the action of the management of M/s. Tulip Diagnostics (P) Limited, Verna Industrial Estate, Verna, Goa, in transferring the workmen S/Shri Vishwanath Madkaikar, Ankush Naik, Vishwas Gaude and Sandesh

Rane, Production Assistants to M/s. Zephyr Biomedical, Verna Industrial Estate, Verna, Goa, w.e.f. 24-10-2017 is legal and unjustified?

(2) *If not, to what relief the workmen are entitled?"*

2. Upon receipt of the reference, it was registered as IT/16/18 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a statement of claim at Exh. 5 and the Party I filed the written statement at Exh. 8.

3. In short, the case of the Party I is that the matter of Charter of demands was pending before the Dy. Labour Commissioner, Margao and on receipt of the notice, the officers of the Party II started threatening and harassing the workmen as they joined the Union and demanded settlement of Charter of demands. The Party I has also raised the dispute regarding non-payment of the bonus and on receipt of the notice from the Assistant Labour Commissioner, the Party II got annoyed and transferred the active members of the Union. The transfer order issued was malafide only to victimize and harass the members of the union to do away with the Party I as they have joined the Union.

4. In the written statement, the Party II has inter-alia contended that the entire demand as contained in the statement of claim is bad in law and not maintainable. No service conditions were changed and transfer from one location to another location in the same Industrial estate was done due to business exigencies. The Party I have not made out any case for grant of relief and therefore, the reference be rejected.

5. Issues that came to be framed at Exhibit 11 are as follows:

(1) Whether the Party I proves that the action of Party II in transferring the workmen S/Shri Vishwanath Madkaikar, Ankush Naik, Vishwas Gaude and Sandesh Rane, Production Assistants to M/s. Zephyr Biomedical, Verna Industrial Estate, Verna, Goa, w.e.f. 24-10-2017 is illegal, unjustified and malafide?

(2) Whether the Party II proves that the reference is bad in law and not maintainable as stated in Para A, B & C of the written statement.

(3) What Relief? What Order?

6. It is a matter of record that the Party I workmen have filed an application at Exh. 13 stating that the issue of transfer was resolved by them mutually and they do not wish to contest the said dispute

and therefore 'no dispute' award be passed. Learned Adv. Shri M. S. Bhandodkar for the Party II has accorded no objection for passing such an award. It therefore appears that the Party I is not interested in pursuing the matter for the reasons stated in the above application. Therefore, there remains no dispute, claim and/or demand of whatsoever nature against each other in the present reference.

7. In view of above, I pass the following:

ORDER

- (i) The reference stands disposed of in terms of the application filed by the Party I workmen at Exhibit 13.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Department of Personnel

Order

No. 5/22/2018-PER/358

Ex-post facto approval of the Government is accorded for deputing Shri Kuldeep Arolkar, Under Secretary, ARD for a 05 days DoPT, Trainer Development Programme on "Direct Trainer Skill (DTS)" Course from 13-01-2020 to 17-01-2020 at GIPARD, Old Goa.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).
Porvorim, 29th January, 2020.

Order

No. 5/7/2014-PER/364

Read: Notification No. 22/01/2016-RD dated 30-05-2016.

Approval of the Government is accorded to authorize the Collector, North Goa District and Collector, South Goa District to designate Special Land Acquisition Officer appointed by the Government as Team Leader from the Junior Scale of Goa Civil Service in terms of Clause 2.2 of the

Policy on Procurement of land under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for Direct Procurement of land to set up public purposes projects on priority basis notified vide notification read in preamble.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 29th January, 2020.

Order

No. 15/2/2019-PER/386

- Read: 1) Order No. 15/2/2019-PER dated 11-11-2019.
 2) Order No. 15/2/2019-PER dated 25-11-2019.
 3) Order No. 15/2/2019-PER dated 20-12-2019.
 4) Order No. 15/5/97-PER(Part)/282 dated 24-01-2020.

Ex-post facto approval of the Competent Authority is accorded for the on job training of the Officers in the cadre of Block Development Officer w.e.f. 30-12-2019 to 24-01-2020.

The officers shall draw salary from the same post against which they are posted vide order read in the preamble at Sr. No. (4) from the date mentioned against their name in the table below:

Sr. No.	Name of officers	With effect from
1.	Shri Siddesh Surya Kerkar	15-11-2019.
2.	Shri Ashwin alias Sadashiv Krishna Dessai	11-12-2019.
3.	Shri Paritosh Ulhas Fal Dessai	18-11-2019.
4.	Shri Gurudatta Pandurang Naik (OBC)	14-11-2019.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 31st January, 2020.

Memorandum

No. 6/39/2016-PER/351

- Read: 1) Order No. 6/16/2013-PER/Part dated 25-11-2014.
 2) Order No. 6/16/2013-PER/Part dated 26-03-2015.
 3) Order No. 6/16/2013-PER/Part dated 22-09-2015.
 4) Order No. 6/16/2013-PER/Part/3880 dated 20-11-2015.
 5) Order No. 6/8/2016-PER dated 04-08-2016.
 6) Order No. 6/16/2013-PER/Part A/2461 dated 16-08-2016.
 7) Order No. 6/4/2001-PER (Vol.I) dated 27-01-2016.
 8) Addendum No. 6/4/2001-PER (Vol. I) dated 10-02-2016.
 9) Order No. 5/7/2017-PER/3340 dated 08-11-2017.
 10) Order No. 6/16/2013-PER/Part dated 21-04-2017.
 11) Order No. 5/3/2017-PER dated 28-09-2017.
 12) Order No. 5/7/2017-PER/2823 dated 12-09-2018.
 13) Order No. 5/4/2017-PER/2749 dated 30-10-2018.
 14) Order No. 5/4/2017-PER/2778 dated 31-10-2018.
 15) Order No. 6/20/2016-PER/2956 dated 14-11-2018.
 16) Memorandum No. 6/1/2015-PER dated 08-01-2019.
 17) Memorandum No. 6/1/2015-PER/618 dated 20-02-2019.
 18) Memorandum No. 6/39/2016-PER dated 21-02-2019.
 19) Order No. 6/20/2016-PER/782 dated 07-03-2019.
 20) Memorandum No. 6/39/2016-PER/1622 dated 10-06-2019.

Whereas, the seniority of Junior Scale Officers of Goa Civil Service as on 29-08-2011 was last finalized vide Memorandum No. 6/1/2015-PER/618 dated 20-02-2019;

And whereas, the department had circulated tentative seniority list vide memorandum read in the preamble at Sr. No. (18);

And whereas, based on the review DPC dated 01-10-2018, a fresh proposal was referred to GPSC to review the DPC held on 18-11-2014. Pursuant to the said proposal, GPSC conducted a review DPC on 06-03-2019 based on which 07 additional Junior Scale Officers figuring in the order read in preamble at Sr. No. (10) were promoted vide order read in preamble at Sr. No. (19) with due regards to the seniority within their respective grading as on 18-11-2014;

And whereas, a fresh tentative seniority list of the Junior Scale Officers of Goa Civil Service was drawn and circulated vide memorandum read in the preamble at Sr. No. (20);

And whereas, all the Junior Scale Officers were requested to scrutinize the list and to submit their objections, with regards to seniority assigned to them;

And whereas, in the meantime some of the officers filed a Writ Petition No. 785/2019 relating to the determination of inter-se seniority between direct recruits & promotees;

And whereas, the Hon'ble High Court vide its order dated 23-09-2019 disposed the petition with a direction to decide all the objections and counter objections filed by the officers & to consider the Writ Petition No. 785/2019 itself as objections while preparing the tentative seniority list;

Now therefore, after careful consideration of the objections received from the Officers & the contentions raised by the Petitioners in the Writ Petition No. 785/2019, the final seniority list of Junior Scale Officers of Goa Civil Service in continuation to the memorandum read in preamble at Sr. No. (17) is hereby determined as follows:-

Sr. No.	Name of the officer	Date of Appointment	Direct/ /Promotee	Date of Birth	Remarks	
1	2	3	4	5	6	
1.	Shri Francisco X. L. Ferrao	25-11-2014	P	26-10-1961	—	—
2.	Smt. Maya Pednekar	25-11-2014	P	21-08-1978	—	—
3.	Smt. Neetal P. Amonkar	25-11-2014	P	16-05-1975	—	—
4.	Shri Yeshwant D. Kamat Khadye	25-11-2014	P	11-11-1957	—	Retired.
5.	Smt. Olga Menezes	25-11-2014	P	22-01-1959	—	Voluntarily retired.
6.	Smt. Sushma D. Kamat	25-11-2014	P	24-06-1962	—	—
7.	Smt. Maria Seomara De Sousa	25-11-2014	P	29-08-1961	—	—
8.	Shri Gaurish Shankhwalkar	25-11-2014	P	25-02-1975	—	—
9.	Shri Arvind Khutkar	25-11-2014	P	02-07-1977	—	—
10.	Shri Pipi T. Murgaonkar	25-11-2014	P	28-02-1961	—	—
11.	Shri Sagun R. Velip	25-11-2014	P	22-04-1974	—	—
12.	Shri Mahadev Araundekar	25-11-2014	P	19-05-1967	—	—
13.	Shri Harish N. Adconkar	25-11-2014	P	30-05-1977	—	—
14.	Smt. Sarita Sadashiv Marathe alias Gadgil	25-11-2014	P	16-03-1974	—	—
15.	Smt. Sangeeta Sakaram Rawool alias Porob	25-11-2014	P	20-08-1977	—	—
16.	Shri Umakant Nhanu Korkankar	25-11-2014	P	06-07-1962	—	—
17.	Smt. Fransquinha Oliveira	25-11-2014	P	10-12-1974	—	—
18.	Shri Paresh M. Fal Desai	25-11-2014	P	02-05-1974	—	—
19.	Shri Sudhir S. Kerkar	25-11-2014	P	27-05-1974	—	—
20.	Shri Amul Shrikant Gaonkar	25-11-2014	P	26-06-1979	—	Since deceased.
21.	Shri Shankar Barkelo Gaonkar	25-11-2014	P	02-10-1980	—	—
22.	Smt. Triveni Paik Velip	25-11-2014	P	28-04-1981	—	—
23.	Dr. Geeta Suresh Nagvenkar	27-01-2016	D	09-03-1981	—	—
24.	Shri Clen Madeira	27-01-2016	D	10-04-1985	—	—
25.	Shri Rohit Ashok Kadam	27-01-2016	D	10-02-1986	—	—
26.	Shri Akshay Gurunath Potekar	27-01-2016	D	25-02-1989	—	—
27.	Smt. Neha Amey Naik Panvelkar	27-01-2016	D	11-11-1984	—	—

1	2	3	4	5	6
28.	Shri Vaibhav Ulhas Naik	27-01-2016	D	02-04-1990	— Terminated vide order No. ACB/ /VIG/M-02/2017/ /2374 dated 04-08-2017.
29.	Shri Kapil Chandrakant Phadte	27-01-2016	D	17-02-1986	— —
30.	Shri Kedar Ashok Naik	27-01-2016	D	21-05-1984	— —
31.	Shri Prasad Gurudas Volvoikar	27-01-2016	D	03-09-1984	— —
32.	Shri Rohan Janardan Kaskar	27-01-2016	D	30-03-1986	— —
33.	Shri Deepesh Narayan Priolkar	27-01-2016	D	22-02-1987	— —
34.	Shri Taha Idrees Haaziq	27-01-2016	D	09-09-1984	— —
35.	Shri Ajay Ramchandra Gaude	27-01-2016	D	06-10-1987	— —
36.*	Smt. Sangeeta S. Naik	21-04-2017	P	06-12-1972	— —
37.	Shri Pundalik V. Khorjuekar	21-04-2017	P	30-05-1968	— —
38.	Shri Sudin A. Natu	21-04-2017	P	23-04-1977	— —
39.	Shri S. P. Signapurkar	21-04-2017	P	08-05-1958	— Retired on expiry of extension period.
40.	Smt. Ramakant Talkar	21-04-2017	P	01-05-1958	— Retired.
41.	Shri Vishant S. Naik Gaunekar	21-04-2017	P	17-09-1971	— —
42.	Shri Shashank V. Thakur	21-04-2017	P	22-06-1979	— —
43.	Smt. Anuja A. Naik Gaunkar alias Fal Desai	21-04-2017	P	13-07-1982	— —
44.	Shri Manuel P. Barreto	21-04-2017	P	26-03-1967	— —
45.	Shri Diwan N. Rane	21-04-2017	P	25-01-1959	— Retired.
46.	Shri Satyavan Bhivshet	21-04-2017	P	12-03-1959	— Retired.
47.	Smt. Anita E. Fernandes	21-04-2017	P	23-01-1959	— Retired.
48.	Shri Shripad Arlekar	21-04-2017	P	08-11-1965	— —
49.	Shri Chandresh C. Kunkalkar	21-04-2017	P	14-03-1982	— —
50.	Shri Vishal C. Kundaikar	21-04-2017	P	25-01-1978	— —
51.	Smt. Smita S. Hede	05-09-2017	P	15-05-1958	— Retired.
52.	Shri Shashikant C. Bhamaikar	05-09-2017	P	29-08-1958	— Retired.
53.	Smt. Shaila G. Bhonsle	05-09-2017	P	20-04-1964	— —
54.	Smt. Bevinda Monteiro e Dias	05-09-2017	P	07-04-1958	— Retired.
55.	Smt. Georgina Saldhana	05-09-2017	P	07-07-1958	— Retired.
56.	Smt. Shivane Borkar	05-09-2017	P	25-12-1968	— —
57.	Shri P. D. Halarnkar	05-09-2017	P	05-09-1960	— —
58.	Shri Gurudas S. T. Desai	05-09-2017	P	14-09-1968	— —
59.	Smt. Roshell Aurita Fernandes	05-09-2017	P	28-11-1980	— —
60.	Smt. Snehal Shivram Prabhu	05-09-2017	P	09-09-1981	— —
61.	Smt. Nathine Stevea Araujo	05-09-2017	P	16-08-1981	— —
62.	Smt. Trupti Manerikar	05-09-2017	P	14-09-1980	— —
63.	Shri Pravin Hire Parab	05-09-2017	P	03-11-1982	— —
64.	Shri Uday Rama Prabhu Dessai	05-09-2017	P	25-04-1965	— —
65.	Smt. Nayan Moroscar	05-09-2017	P	13-10-1964	— —
66.	Shri Navnath K. Naik	05-09-2017	P	01-12-1960	— —
67.	Smt. Milan Kankonkar @ Deepti Kankonkar	05-09-2017	P	18-05-1960	— —
68.	Shri Vivek Krishna Naik	08-11-2017	D	16-09-1985	— —
69.	Shri Kuldeep Ulhas Arolkar	12-09-2018	D	27-02-1995	— —
70.	Shri Sachin Santosh Desai	12-09-2018	D	06-04-1992	— —
71.	Shri Premraj Krishnanath Shirodkar	12-09-2018	D	04-11-1991	— —

1	2	3	4	5	6
72.	Shri Pranab Gajanan Bhat	12-09-2018	D	10-05-1992	— —
73.	Shri Kabir Krishna Shirgaonkar	12-09-2018	D	08-06-1982	— —
74.	Shri Sagar Babuli Gaude	12-09-2018	D	04-02-1984	— —
75.	Dr. Pooja M. Madkaikar	31-10-2018	D	15-08-1983	— —
76.	Shri Vikas S. Kamble	30-10-2018	D	01-06-1985	— —
77.	Ms. Fiona Audrey Cardozo	30-10-2018	D	07-04-1985	— —
78.	Shri Nilesh Kushta Dhaigodkar	30-10-2018	D	13-06-1976	— —
79.	Shri Pritidas Upasso Gaonkar	30-10-2018	D	06-10-1981	— —
80.	Shri Mangaldas Budho Gaonkar	30-10-2018	D	15-02-1990	— —

*The seniority of officers from Sl. No. 36 onwards shall be subject to the recommendations of the review DPCs to be held in view of the review DPC dated 06-03-2019 in Junior Scale of Goa Civil Service.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 28th January, 2020.

Corrigendum

No. 15/2/2020-PER/378

Read: Order No. 15/2/2020-PER dated 14-01-2020.

In the third para of the order read in the preamble, the words "Joint Mamlatdar-II, Sanguem" shall be substituted to read as "Joint Mamlatdar-II, Quepem".

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 30th January, 2020.

Department of Public Health

Order

No. 44/25/2017-I/PHD/235

Read: Memorandum No. 44/25/2017-I/PHD/2691 dated 04-12-2019.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/24(1)/2019/1112 dated 15-10-2019, Government is pleased to appoint Dr. Varsha Bhamaikar to the post of Medical Officer (Group "A" Gazetted) in the Pay Matrix under Level 10 under the Directorate of Health Services with immediate effect as per the terms and conditions contained in the Memorandum cited above.

Dr. Varsha Bhamaikar shall be on probation for a period of two years from the date of her joining.

Dr. Varsha Bhamaikar has been medically examined by the Medical Board and found fit. The appointment is made subject to the verification of

her character and antecedents. In the event of any adverse matter being noticed by the Government on verification of her character and antecedents, her services shall be terminated.

Dr. Varsha Bhamaikar is posted at Primary Health Centre, Curtorim.

By order and in the name of the Governor of Goa.

Swati A. Dalvi, Under Secretary (Health-II).

Porvorim, 29th January, 2020.

Notification

No. 13/10/2007-I/PHD (Part-III)/209

In exercise of the powers conferred by sub-section (1) of Section 20 of the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940), the Government of Goa hereby appoints Smt. Medha S. Tarcar Pednekar, Junior Scientific Officer (Drugs) of the Directorate of Food and Drugs

Administration, Government of Goa, Bambolim to be Government Analyst, for the whole of the State of Goa, in respect of all classes of drugs and cosmetics, except the drugs specified at serial Nos. 1 to 7, 13 and 14 of the Schedule C to the Drugs and Cosmetics Rules, 1945.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Swati A. Dalvi, Under Secretary (Health-II).

Porvorim, 28th January, 2020.

Department of Urban Development

Municipal Administration

Order

No. 1/03/DMA/ADMN/RTI/3508

- Read Orders: 1. No. 1/03/DMA/Admn/RTI/255 dated 30-4-2015.
2. No. 1/03/DMA/Admn/2350 dated 14-11-2017.
3. No. 1/03/DMA/Admn/RTI/2950 dated 04-01-2019.

In partial modification to the above referred Orders, the Government has approved the appointment of the following officials of the Mapusa Municipal Council under the right to Information Act, 2005 to act as Official under sub-section (2) of Section 5 of the Right to Information Act, 2005:-

Sr. No.	Name of the Official	Designation	Office Telephone Number
1.	Shri Vyankatesh Sawant, Municipal Engineer Grade-II	Public Information Officer (PIO)	2262203/2262463
2.	Shri Vinay Agarwadekar, UDC	Assistant Public Information Officer (APIO)	2262203/2262463

The Public Information Officer is responsible for maintaining and updating all required information and also receiving and disposing off applications under Right to Information Act, 2005.

Dr. *Tariq Thomas*, IAS, Director (Urban Development).

Panaji, 27th January, 2020.

Department of Water Resources

Office of the Chief Engineer

Order

No. 3/25-5/87/WR/Adm.I/999

On the recommendation of the Goa Public Service Commission as conveyed vide confidential letter No. COM/II/11/27(3)/2019/213 dated 30-09-2019, Government is pleased to order the promotion of the following Junior Engineers to the post of Assistant Engineers/Assistant Surveyor of Works (Civil) in Water Resources Department on regular basis in the Pay Matrix Level No. 7 and post them against the place indicated in Column No. 4:

Sr. No.	Name of promotee	Present designation and place of posting	Designation and place of posting on promotion
1	2	3	4
1.	Shri Suryakant T. Banaulikar	Junior Engineer, O/o Assistant Engineer, Sub-Div.-III, WD-XII, WRD, Dharbandora-Goa	Assistant Engineer, O/o Assistant Engineer, Sub-Div.-I, WD-XIV, WRD, Quepem-Goa.

1	2	3	4
2.	Shri Shenvi Velingkar Shivprasad	Junior Engineer, O/o Assistant Engineer, Sub-Div.-IV, WD-II, WRD, Margao-Goa	Assistant Engineer, O/o Assistant Engineer, Sub-Div.-III, WD-II, WRD, Fatorda, Margao-Goa.

The Government is also pleased to transfer the below mentioned Assistant Engineers/Assistant Surveyor of Works (Civil) in WRD in view of the above posting of the promote Officers in Water Resources Department.

Sr. No.	Name of promotee	Present designation and place of posting	Designation and place of posting on transfer
1	2	3	4
1.	Shri Sainath M. Jamkhandi	Assistant Engineer, O/o Assistant Engineer, Sub-Div.-I, WD-XIV, WRD, Quepem-Goa	Assistant Engineer, O/o Assistant Engineer, Sub-Div.-I, WD-II, WRD, Gogal, Margao-Goa.
2.	Shri Ajay M. Kudchadkar	Assistant Surveyor of Works, O/o Executive Engineer, WD-II, WRD, Rawanfond, Margao-Goa	Assistant Engineer, O/o Assistant Engineer, Sub-Div.-II, WD-II, WRD, Gogal, Margao-Goa.

The promoted Officers at Serial Nos. 1 and 2 shall be on probation for a period of two years as specified in Column No. 9 of the Recruitment Rules notified in the Official Gazette, Extraordinary, Series I No. 28 dated 11-10-2001.

This is issued vide Government approval No. 747/F dated 27-01-2020.

By order and in the name of the Governor of Goa.

S. D. Patil, Chief Engineer & ex officio Addl. Secretary (WR).

Porvorim, 29th January, 2020.

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